

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RICHARD K. NIEMI,  
et al.,

Plaintiffs,

CIVIL ACTION NO. 05-CV-74210-DT

vs.

DISTRICT JUDGE PATRICK J. DUGGAN

AMERICAN AXLE MFG. &  
HOLDING INC., et al.,

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendants.

ORDER TO ADVISE STATUS OF PLAINTIFFS' MOTION TO DETERMINE  
SUFFICIENCY OF DEFENDANT AMERICAN AXLE'S RESPONSES TO PLAINTIFFS'  
REQUEST FOR ADMISSIONS

This matter comes before the Court on Plaintiffs' Motion To Determine the Sufficiency of Defendant American Axle's Responses to Plaintiffs' Request for Admissions filed on April 11, 2006. (Docket no. 53). Defendant filed a Response to the motion on April 28, 2006. (Docket no. 58). On June 28, 2006, Magistrate Judge Capel, to whom the case was then assigned, entered an Order holding the motion in abeyance. (Docket no. 74). The matter was placed in abeyance subject to the attorneys of record resolving this matter without Court intervention. If the matter was not resolved, Plaintiffs' attorney was to contact the Court and have the matter scheduled for a hearing on the unresolved matters. (*Id.*) This case has now been reassigned to the undersigned. (Docket no. 141). The parties therefore should inform the Court of the status of this motion and specifically whether the contested issues have been resolved. If the motion is now moot, the parties should withdraw the motion. If it is not moot, the parties should state the specific issues remaining to be resolved and state whether they believe that oral argument would be beneficial to a resolution of the matters.

**IT IS THEREFORE ORDERED** that the Attorneys for Plaintiffs and for Defendant American Axle within ten (10) days of the entry of this Order advise the Court in writing of the status of Plaintiffs' Motion to Determine Sufficiency (Docket no. 53).

**Notice to the Parties**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. § 636(b)(1).

Dated: December 12, 2006

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

**PROOF OF SERVICE**

I hereby certify that a copy of this Order was served upon Counsel of Record on this date.

Dated: December 12, 2006

s/ Lisa C. Bartlett  
Courtroom Deputy